UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ASSOCIATED PRESS, Plaintiff, - v.- UNITED STATES DEPARTMENT OF DEFENSE, Defendant.	:	**ECF CASE** 05 Civ. 5468 (JSR)

DECLARATION OF SARAH S. NORMAND

SARAH S. NORMAND, pursuant to 28 U.S.C. § 1746, declares as follows:

1. I am an Assistant United States Attorney in the office of Michael J. Garcia, United States Attorney for the Southern District of New York, attorney for defendant the United States Department of Defense. I have been assigned to defend this matter, and am fully familiar with the facts pertaining to it.

Associated Press v. United States Department of Defense Doc. 14

2. I submit this declaration in support of defendant's motion for summary judgment in this matter.

3. A true and correct copy of plaintiff's complaint in the above-referenced action is attached hereto as Exhibit A.

4. A true and correct copy of the Stipulation and Order entered by the Court on July 1, 2005 is attached hereto as Exhibit B.

5. Plaintiff's counsel, David Schulz, Esq., has advised me that plaintiff is not contesting defendant's withholding from the documents at issue in this litigation, or in the related litigation, AP v. DOD, 05 Civ. 3941 (JRS), of identifying information of Department of Defense

personnel. Mr. Schulz has further advised this Office that plaintiff is not contesting defendant's earlier withholdings (during the administrative process) pursuant to Exemptions 1, 5, and 7 of the Freedom of Information Act. Mr. Schulz agreed to withdraw these challenges without prejudice to plaintiff's right to contest similar withholdings in future cases.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: New York, New York
February 22, 2006

s/ Sarah S. Normand
SARAH S. NORMAND
Assistant United States Attorney